



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lesko, et al.

Appl. No. 09/430,175

Filed: October 29, 1999

For: **Multiple Marker Characterization
of Single Cells**

Confirmation No. 6875

Art Unit: 1642

Examiner: Canella, Karen A.

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Fifth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Information Disclosure Statement filed on February 15, 2002 in connection with the above-captioned application.

A copy of the document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

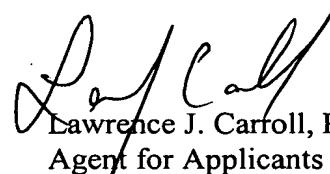
should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Consideration of the cited document and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lawrence J. Carroll, Ph.D.
Agent for Applicants
Registration No. 40,940

Date: September 26, 2003

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600